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9 Attorneys for Plaintiffs,
10 LAFACE RECORDS LLC; ELEKTRA
11 ENTERTAINMENT GROUP INC.; UMG
12 RECORDINGS, INC.; and WARNER
13 BROS. RECORDS INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 OAKLAND DIVISION

17 LAFACE RECORDS LLC, a Delaware limited
18 liability company; ELEKTRA
19 ENTERTAINMENT GROUP INC., a Delaware
20 corporation; UMG RECORDINGS, INC., a
21 Delaware corporation; and WARNER BROS.
22 RECORDS INC., a Delaware corporation,

23 Plaintiffs,

24 v.

25 JENNIFER LYNN GLASS,

26 Defendant.

27 CASE NO. 4:07-CV-04847-SBA

28 Honorable Saundra Brown Armstrong

**EX PARTE APPLICATION TO CONTINUE
CASE MANAGEMENT CONFERENCE
AND ORDER**

1 Plaintiffs respectfully request that the Court continue the case management conference
2 currently set for April 9, 2008, at 2:45 p.m., to July 16, 2008. As further explained below,
3 Defendant Jennifer Lynn Glass (“Defendant”) has not yet been served or appeared in this action, and
4 therefore there is no need for a case management conference at this time.

5 1. Plaintiffs filed their initial Complaint against a John Doe defendant on September 20,
6 2007. In order to obtain information sufficient to identify the Doe defendant, Plaintiffs also filed
7 their *Ex Parte* Application for Leave to Take Immediate Discovery on September 20, 2007, seeking
8 the Court’s permission to serve a Rule 45 subpoena on Defendant’s Internet Service Provider
9 (“ISP”). On October 4, 2007, the Court issued its Order for Leave to Take Immediate Discovery,
10 which was promptly served on the ISP along with a Rule 45 subpoena. On November 16, 2007, the
11 ISP responded to Plaintiffs’ subpoena, identifying the Defendant, Jennifer Lynn Glass.

12 2. While the case was still in the Doe stage, the Court issued a January 4, 2008 Order
13 granting Plaintiffs’ previous request to continue the case management conference from January 10,
14 2008 to the currently scheduled date.¹

15 3. After the ISP identified Ms. Glass, Plaintiffs sent her a letter notifying her of
16 Plaintiffs’ copyright infringement claim and inviting her to contact Plaintiffs to attempt to resolve
17 the dispute. Although that letter was returned undelivered, Plaintiffs made further attempts to reach
18 Ms. Glass and were eventually able to initiate settlement talks and forward written notification of
19 their claims. The parties did not reach a settlement.

20 4. Accordingly, Plaintiffs filed a First Amended Complaint on February 29, 2008,
21 naming Ms. Glass individually as Defendant.

22 5. To date, Plaintiffs’ attempts to serve Defendant with process have been unsuccessful.
23 Plaintiffs continue to attempt to serve Defendant.

24 6. Given the foregoing circumstances, a case management conference is unnecessary at
25 this time. Plaintiffs therefore respectfully request that the Court continue the case management

27 28¹ The Court also issued a January 22 Order granting Plaintiffs’ request for a 90-day extension of time
to effectuate service.

1 conference currently set for April 9, 2008, at 2:45 p.m., to July 16, 2008, or such other date as
2 conveniences the Court.

3 7. Plaintiffs will provide Defendant with a copy of this request and any Order
4 concerning this request when service of process occurs.

5 Dated: March 26, 2008

HOLME ROBERTS & OWEN LLP

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7 By: /s/ Matthew Franklin Jaksa
8 MATTHEW FRANKLIN JAKSA
Attorney for Plaintiffs
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ORDER

11 Good cause having been shown:

12 **IT IS ORDERED** that the case management conference currently set for April 9, 2008, at
13 2:45 p.m., be continued to July 16, 2008 at 2:30 p.m.

14 The parties shall **meet and confer** prior to the conference and shall prepare a joint Case
15 Management Conference Statement which shall be filed no later than ten (10) days prior to the Case
16 Management Conference that complies with the Standing Order For All Judges Of The Northern
17 District Of California and the Standing Order of this Court. Plaintiffs shall be responsible for filing
18 the statement as well as for arranging the conference call. All parties shall be on the line and shall
19 call (510) 637-3559 at the above indicated date and time.
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21 IT IS SO ORDERED.
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23 Dated: 3/27/08

24 By: Saundra B. Armstrong
Honorable Saundra Brown Armstrong
United States District Judge
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